

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

UNITED STATES OF AMERICA,

VS.

YIMY OREJUELA HURTADO,

Defendant

NO. 3:07-MJ-05-04 (CWH)

VIOLATION: 8 U.S.C. §1326(a)(2) and (b)(2)

ORDER

The above-named defendant this day appeared before the undersigned for an **INITIAL APPEARANCE HEARING** pursuant to provisions of Rule 5 of the Federal Rules of Criminal Procedure. At said hearing, the court determined that a detainer has been placed on this defendant by United States Immigration and Customs Enforcement (ICE) because of his status as an illegal alien. Thus, release from custody in the above-styled case appears to be a moot issue.

Accordingly, the court will HOLD IN ABEYANCE any consideration of release of this defendant from custody in this case under the Bail Reform Act of 1984 until such time as the detainer placed against him by ICE has been removed. Counsel for the government and for the defendant are directed to immediately advise the court of any such removal; in that event, the defendant shall be brought before this court FORTHWITH for consideration of his release from custody in the above-captioned case under the Bail Reform Act of 1984. In the meantime, he shall remain in the custody of the U. S. Marshal for the Middle District of Georgia.

SO ORDERED, this 8th day of MAY, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE